

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Cavadini et al. ATTY DOCKET NO.: P97,2946  
SERIAL NO: 08/996,889 NOV 30 1998 GROUP ART UNIT: 1761  
FILED: December 23, 1997 EXAMINER: Unknown  
INVENTION: "CEREAL PRODUCT CONTAINING PROBIOTICS"

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R:

Submitted herewith is a Supplemental Information Disclosure Statement for consideration in the above-identified application. This Supplemental Information Disclosure Statement is submitted:

- ☐ Within three months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)
- ☐ After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.
- ☐ Payment of the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or
- ☐ The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)
- ☐ After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but before payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.
- ☒ The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the statement.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover any required fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 08-2290. *A duplicate copy of this sheet is enclosed for this purpose.*

Very respectfully,

HILL & SIMPSON  
*A Professional Corporation*

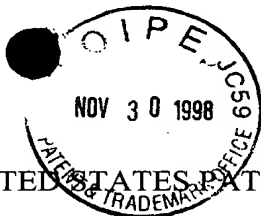
(Reg. No. 30,142)

When phoning re this application,  
please call (312) 876-0200.

Hill & Simpson, P.C.  
Sears Tower, 85th Floor  
Chicago, Illinois 60606  
Telephone: (312) 876-0200

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C 20231 November 24, 1998.

ROBERT M. BARRETT



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

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Washington, D.C. 20231

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In accordance with the provisions of 37 C.F.R. 1.56, Applicants request that citation and examination of the references identified on the attached PTO-1449 form, copies of which are enclosed herewith in accordance with 37 C.F.R. 1.98, be made during the course of examination of the above-mentioned application for United States Patent. These documents were cited in a European Search Report for an application from which this application claims priority. A copy of the Search Report is enclosed.

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	<u>Document Number</u>	<u>Country</u>	<u>Date</u>
cr	03251159 (Abstract)	<del>Japan</del> JP	11/08/91
cr	WO 95/34292	<del>PCT</del> WO	12/21/95
cr	WO 96/08261	<del>PCT</del> WO	03/21/96

Other

cs Derwent Publication XP 002029125, AN 95-121585.

ce Derwent Publication XP 002031486, AN 89-312205.

cs Fuller, "Probiotics in man and animals", *Journal of Applied Bacteriology*, Vol. 66, 1989, pp. 365-378.

*Gayle 5/17/99*

Applicants look forward to early and favorable consideration of this matter.

Respectfully submitted,

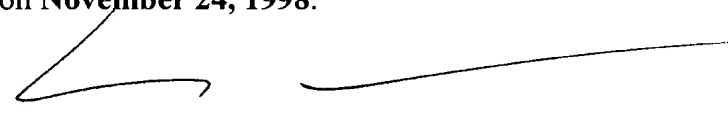
  
\_\_\_\_\_  
(Reg. No. 30,142)  
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(312) 876-0200

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ATTORNEY FOR APPLICANTS

**CERTIFICATE OF MAILING**

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